

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

SECURITIES AND EXCHANGE COMMISSION

SUMMONS IN A CIVIL ACTION

V.

THOMPSON PRICE HOLDING INC. and DAMIR  
LUKOVIC a/k/a GREG THOMPSON

CASE NUMBER:

**07 CIV 9525**

**Judge Berman**

TO: (Name and address of Defendant)

THOMPSON PRICE HOLDING INC.  
545 Eighth Avenue, Suite 401  
New York, New York 10018

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

MARK K. SCHONFELD (MS-2798)  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION  
New York Regional Office  
3 World Financial Center, Room 400  
New York, NY 10281  
(212) 336-0080 (Brody)

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 25 2007.

CLERK

*Mano Quintero*

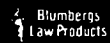
DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Other (specify):</div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



COURT UNITED STATES DISTRICT COURT  
COUNTY OF SOUTHERN DISTRICT OF NEW YORK  
SECURITIES AND EXCHANGE COMMISSION

Index No. 07 CIV 9525

Plaintiff(s)

against

THOMPSON PRICE HOLDING INC. AND DAMIR LUKOVIC A/K/A  
GREG THOMPSON

Defendant(s)

**AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)**  
SEE ATTACHED RIDER

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at SUNNYSIDE, NEW YORK

That on 10/26/07

at 11:25 AM., at 1 MAIDEN LANE, NEW YORK, NEW YORK (5TH FLOOR)

deponent served the within summons, and complaint on THOMPSON PRICE HOLDING INC.

defendant therein named,

SEE ATTACHED RIDER

C/O SPIEGEL & UTRERA, P.A., P.C.

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

2. ☒

a PROFESSIONAL corporation, by delivering thereat a true copy of each to ARTIE KHLEVNER personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 4

5A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO  
BUSINESS  
USE WITH 3 OR 4

5B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH  
1, 2, OR 3

☒

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input checked="" type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN  
NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE

☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

10/26/07

JOHN DICANIO  
Notary Public, State of New York  
No. 01D14977768  
Qualified in Westchester County  
Commission Expires Feb. 11, 2011

PRINT NAME BENEATH SIGNATURE  
DI CONG JIANG

License No. 1220800

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SECURITIES AND EXCHANGE  
COMMISSION

CASE NO.  
07 CIV 9525

RIDER TO AFFIDAVIT  
OF SERVICE

-AGAINST-

THOMPSON PRICE HOLDING INC.  
AND DAMIR LUKOVIC A/K/A GREG  
THOMPSON

-----X

LIST OF DOCUMENTS SERVED:

- SUMMONS IN A CIVIL ACTION
- COMPLAINT
- INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN
- ORDER TO SHOW CAUSE, TEMPORARY RESTRAINING ORDER,  
ORDER FREEZING ASSETS, ORDER FOR ACCOUNTINGS, AND  
GRANTING OTHER RELIEF
- PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF ITS  
EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING  
ORDERS, PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE,  
ASSET FREEZES, ACCOUNTINGS, AND OTHER RELIEF
- EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING  
ORDERS, PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE,  
ASSET FREEZES, ACCOUNTINGS, AND OTHER RELIEF
- DECLARATION OF DAWN LIBAL IN SUPPORT OF ITS EMERGENCY  
APPLICATION FOR TEMPORARY RESTRAINING ORDERS,  
PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE, ASSET  
FREEZES, ACCOUNTINGS, AND OTHER RELIEF
- LOCAL RULE 6.1(D) DECLARATION IN SUPPORT OF PLAINTIFF  
SECURITIES AND EXCHANGE COMMISSION'S EMERGENCY  
APPLICATION FOR TEMPORARY RESTRAINING ORDERS,  
PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE, ASSET  
FREEZES, ACCOUNTINGS, AND OTHER RELIEF



B 151-

Affidavit of Service of Summons or Subpoena: Personal or Alternative  
Methods: Corp. or Ind.: Military Service, 10 pt. type, 1-95© 1988 JULIUS BLUMBERG, INC.,  
PUBLISHER, NYC 10013

COURT UNITED STATES DISTRICT COURT  
COUNTY OF SOUTHERN DISTRICT OF NEW YORK  
SECURITIES AND EXCHANGE COMMISSION

Index No. 07 CIV 9525

Plaintiff(s)  
against  
THOMPSON PRICE HOLDING INC. AND DAMIR LUKOVIC A/K/A  
GREG THOMPSON  
Defendant(s)

**AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)**  
SEE ATTACHED RIDER

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at POMONA, NEW YORK

That on 10/26/07 at 6:21 AM., at 50 LISBON STREET, CLIFTON, NEW JERSEY

deponent served the within summons, and complaint on  
SEE ATTACHED RIDER

THOMPSON PRICE HOLDING INC. defendant therein named,

## INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

## CORPORATION

2. ☒

a DOMESTIC corporation, by delivering thereat a true copy of each to DAMIR LUKOVIC A/K/A GREG THOMPSON personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.

## SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

## AFFIXING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 45A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO  
BUSINESS  
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH  
1, 2, OR 3☒

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input checked="" type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input checked="" type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
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	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN  
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on  
10/30/07

JOHN DICANIO  
Notary Public, State of New York  
No. 01D1497768  
Qualified in Westchester County  
Commission Expires Feb. 11, 2011

PRINT NAME BENEATH SIGNATURE  
SETH BOTWINICK

License No. 1216601

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SECURITIES AND EXCHANGE  
COMMISSION

CASE NO.  
07 CIV 9525

-AGAINST-

RIDER TO AFFIDAVIT  
OF SERVICE

THOMPSON PRICE HOLDING INC.  
AND DAMIR LUKOVIC A/K/A GREG  
THOMPSON  
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LIST OF DOCUMENTS SERVED:

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- ORDER TO SHOW CAUSE, TEMPORARY RESTRAINING ORDER, ORDER FREEZING ASSETS, ORDER FOR ACCOUNTINGS, AND GRANTING OTHER RELIEF
- PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF ITS EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE, ASSET FREEZES, ACCOUNTINGS, AND OTHER RELIEF
- EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE, ASSET FREEZES, ACCOUNTINGS, AND OTHER RELIEF
- DECLARATION OF DAWN LIBAL IN SUPPORT OF ITS EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE, ASSET FREEZES, ACCOUNTINGS, AND OTHER RELIEF
- LOCAL RULE 6.1(D) DECLARATION IN SUPPORT OF PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, ORDERS TO SHOW CAUSE, ASSET FREEZES, ACCOUNTINGS, AND OTHER RELIEF

Securities and Exchange Commission,

AFFIDAVIT OF SERVICE

Case No. 07 Civ. 9525

Plaintiff(s)

-against-

Thompson Price Holding Inc., and  
Damir Lukovic a/k/a Greg Thompson,

Defendant(s)

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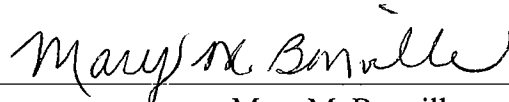
State of New York )

ss:

County of Albany )

Mary M. Bonville, being duly sworn, deposes and says:

Deponent is over the age of eighteen and is a resident of New York State and is not a party to this action. That on October 29, 2007 at approximately 1:05 PM deponent served the following specific papers pursuant to Section 306 of the Business Corporation Law, Summons in a Civil Case and Complaint, Order to Show Cause, Plaintiff's Memorandum of Law, Individual Practices of Hon. Richard M. Berman, Local Rule 6.1, Verified Declaration of Dawn Libal in Support of its Emergency Application for Temporary Restraining Orders with Exhibits, that the party served was Thompson Price Holding Inc., a domestic business corporation, one of the defendants in this action, by personally serving two copies of the aforesaid papers at the office of the NYS Secretary of State located at 41 State Street, in the City of Albany, New York by delivering to and leaving papers with Carol Vogt, a white female with brown hair, being approximately 46-55 years of age; height of 5'0" - 5'3", weight of 100-130 lbs., being an authorized person in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid the fee prescribed by Law in the amount of \$40.00.



Mary M. Bonville

Sworn to before me this 29<sup>th</sup> day of October, 2007

  
Ruth A. Dennehey

Notary Public — State of New York

Qualified in Albany County

Registration No. 01DE4729775

Commission Expires: 11-30-2010